

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF WISCONSIN

In Re:
LYNN M AFFETTO

Chapter 13
Case No. 2017-23581-BEH-13

Debtor

**NOTICE OF TELEPHONIC HEARING &
OBJECTION TO CONFIRMATION OF
MODIFIED CHAPTER 13 PLAN**

Now comes the Chapter 13 Standing Trustee, Rebecca R. Garcia, and objects to confirmation of debtors' Chapter 13 Plan filed on November 13, 2017, for the reason that:

Failure to properly serve amended plan on creditors as required by Local Rule 3015(c)(3).

This proposed plan does not provide for a feasible plan. The special provisions of the plan first propose that the Trustee should NOT disburse funds to the mortgage creditor on the pre-petition arrears claim due to the pending Mortgage Modification Motion, but then the special provisions go on to state that the Trustee should disburse payments to the mortgage creditor on the arrears claim. The plan is feasible if no arrears are paid, but the plan is not feasible if the arrears are cured via Trustee disbursements.

WHEREFORE, trustee prays for denial of confirmation of debtors' Chapter 13 Plan filed November 13, 2017.

NOTICE OF TELEPHONE HEARING

TO: LYNN M AFFETTO
PAUL J HILDEBRANDT(NFS)

NICKOLAI AND POLETTI LLC
Trustee Rebecca R. Garcia

PLEASE TAKE NOTICE that a telephone hearing will be held via conference call before the Honorable Beth E. Hanan, United States Bankruptcy Judge, United States Bankruptcy Judge, on **December 12, 2017 at 10:30 AM**, to consider the Trustee's Objection to Confirmation of the Modified Plan filed November 13, 2017.

To appear by telephone, you must call the court conference line at 1-888-808-6929, and enter access code 9122579 before the scheduled hearing time. The court may already be in session, so please wait quietly on the telephone for your case to be called. [If represented by an attorney, the debtor is welcome, but not required, to participate in this hearing. If the debtor is not represented by an attorney, the debtor is required to participate in this hearing.]

Dated the 4th day of December 2017.

/s/ Rebecca R. Garcia
Chapter 13 Trustee

Rebecca R. Garcia Chapter 13 Standing Trustee P O Box 3170 Oshkosh, WI 54903-3170 920.231.2150 Fax 920.231.5713 E-mail info@ch13oshkosh.com

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Chapter 13

CERTIFICATE OF SERVICE

STATE OF WISCONSIN)) SS
WINNEBAGO COUNTY)

Kristina L. Wilder, being first duly sworn on oath, states that she is an employee in the office of Rebecca R. Garcia, Standing Chapter 13 Trustee, P.O. Box 3170, Oshkosh, WI 54903-3170 and on the 4th day of December 2017, a copy of the trustee's Objection to Confirmation of Chapter 13 Plan filed November 13, 2017, was mailed in a first class postage paid envelope to the following:

LYNN M AFFETTO
PAUL J HILDEBRANDT(NFS)
1990N HICKORY COURT
OCONOMOWOC, WI 53066

and the following were served electronically

NICKOLAI AND POLETTI LLC

Dated the 4th day of December 2017.

/s/ Kristina L. Wilder

Kristina L. Wilder